

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT

HAMPDEN SS.

DOCKET NO: [REDACTED]

COMMONWEALTH
V.
[REDACTED]


MOTION TO CONTINUE TRIAL

Now comes the defendant, before this Honorable Court and respectfully requests that the trial scheduled for September 12, 2012, be rescheduled for status on a mutually agreeable date.

As grounds therefore, defendant counsel has filed a motion for discovery concerning the policies and procedures in general and specific to this case, of the Department of Public Health State Laboratory Institute at Amherst. This information is essential to ensure that the analysis performed by the State Laboratory Institute complies with policies and procedures.

Additionally, due to the recent issues at the Hinton Drug Laboratory involving potential mistreatment and mishandling of alleged drugs this case may be implicated. Until the investigation concerning the Hinton Drug Laboratory is completed it is unknown whether analysis at the Amherst State Laboratory is also unreliable.

THE DEFENDANT
By His Attorney



Edward B. Fogarty
95 State Street- Suite 809
Springfield MA, 01103
Tel: (413) 827-0174
Fax: (413) 737-7782
BBO: 173090

Date: September 6, 2012

CERTIFICATE OF SERVICE: I have caused a copy of the foregoing to be served upon the Hampden County District Attorney's office, via email. Edward B. Fogarty